

Senate Bill No. 2034

CHAPTER 199

An act to amend Section 473.15 of the Business and Professions Code, relating to healing arts.

[Approved by Governor July 21, 2000. Filed with
Secretary of State July 24, 2000.]

LEGISLATIVE COUNSEL'S DIGEST

SB 2034, Figueroa. Healing arts: Chiropractic Act, Osteopathic Act.

(1) Existing law, an initiative measure approved by the electors on November 7, 1922, provides for the regulation and licensing of chiropractors in this state by the State Board of Chiropractic Examiners. The act places no time limitation on the operation of the board; however, existing codified law makes the board's continued operation subject to a review process initiated by the Joint Legislative Sunset Review Committee during the interim recess of 1998.

This bill would require the review process to be undertaken during the interim recess of 2001, and would make related changes.

(2) The Osteopathic Act, an initiative measure approved by the electors on June 2, 1913, provides for the regulation and licensing of osteopathic physicians and surgeons in this state by the Osteopathic Medical Board of California. The act places no time limitation on the operation of the board; however, existing codified law makes the board's continued existence subject to a review process initiated by the Joint Legislative Sunset Review Committee during the interim recess of 1998.

This bill would require the review process to be undertaken during the interim recess of 2003, and would make related changes.

The people of the State of California do enact as follows:

SECTION 1. Section 473.15 of the Business and Professions Code is amended to read:

473.15. (a) The Joint Legislative Sunset Review Committee established pursuant to Section 473 shall review the following boards established by initiative measures, as provided in this section:

(1) The State Board of Chiropractic Examiners established by an initiative measure approved by electors November 7, 1922.

(2) The Osteopathic Medical Board of California established by an initiative measure approved June 2, 1913, and acts amendatory thereto approved by electors November 7, 1922.

(b) The Osteopathic Medical Board of California shall prepare an analysis and submit a report as described in subdivisions (a) to (e), inclusive, of Section 473.2, to the Joint Legislative Sunset Review Committee on or before September 1, 2003.

(c) The State Board of Chiropractic Examiners shall prepare an analysis and submit a report as described in subdivisions (a) to (e), inclusive, of Section 473.2, to the Joint Legislative Sunset Review Committee on or before September 1, 2001.

(d) The Joint Legislative Sunset Review Committee shall, during the interim recess of 2003 for the Osteopathic Medical Board of California, and during the interim recess of 2001 for the State Board of Chiropractic Examiners, hold public hearings to receive testimony from the Director of Consumer Affairs, the board involved, the public, and the regulated industry. In that hearing, each board shall be prepared to demonstrate a compelling public need for the continued existence of the board or regulatory program, and that its licensing function is the least restrictive regulation consistent with the public health, safety, and welfare.

(e) The Joint Legislative Sunset Review Committee shall evaluate and make determinations pursuant to Section 473.4 and shall report its findings and recommendations to the department as provided in Section 473.5.

(f) In the exercise of its inherent power to make investigations and ascertain facts to formulate public policy and determine the necessity and expediency of contemplated legislation for the protection of the public health, safety, and welfare, it is the intent of the Legislature that the State Board of Chiropractic Examiners and the Osteopathic Medical Board of California be reviewed pursuant to this section.

(g) It is not the intent of the Legislature in requiring a review under this section to amend the initiative measures that established the State Board of Chiropractic Examiners or the Osteopathic Medical Board of California.

